

## REMARKS

The specification has been objected to due to informalities. A substitute specification was filed along with the original national stage application. The substitute specification includes all headers required under US format.

Claims 1-11 have been rejected under 35 USC 112, second paragraph. The claims have been amended accordingly.

Claims 4 and 5 have been objected to due to informalities. The claims have been amended accordingly.

Claims 1, 3-6, 8 and 10-11 have been rejected under 35 USC 102(b) as anticipated by Havinis. The rejection is respectfully traversed.

In Havinis, the GMLC 490 receives a positioning request (step 500) and in response sends a request for routing information (e.g., the address of the MSC/VLR 460 serving the PLMN 405 that the MS 400 is currently located in and positioning subscription information for the MS 400) (step 505), to the Home Location Register (HLR) 450 of the MS. The HLR 450 checks its records to confirm that the MS 400 is registered in the HLR 450 (step 510), and that routing information for that MS 400 is available (step 515) and, if so, the routing information, e.g., the serving MSC/VLR 460 address, together with the positioning subscription information, is sent to the GMLC 490 (step 530). The GMLC 490 checks whether the MS 400 allows positioning to be performed (step 535), and if so, the GMLC 490 sends the positioning request to the serving MSC/VLR 460 (step 540), using the MSC/VLR 460 address. The MSC/VLR 460 then routes the positioning request to the MLC 470 serving the PLMN 405 that the MS 400 is located in (step 545).

Claim 1 includes various features which patentably distinguish over Havinis. According to the claim, a request from a first location request handling device is received at a subscriber database of a mobile radio network for switching device address data of a switching device, via which a subscriber can currently be reached and it is determined whether the location request is from a version of a location request handling device for which there is provision for the location request handling device to receive switching device address data from the subscriber database as a response. According to Havinis, a request for routing information in respect of a particular mobile from a GMLC is received at an HLR. The request is for routing (the address of the

MSC/VLR) and other information so that a decision can be made as to whether the positioning request should be sent to the mobile terminal. However, claim 1 specifies:

*in the event that the request is from such a version of a location request handling device, specifying, via the subscriber database, to the first location request handling device, in a response, location request handling device address data representing the address of a further location request handling device instead of the switching device address data.*

This feature is not disclosed in Havinis. Rather, the reference discloses receiving the address of the MSC/VLR from the subscriber database (HLR). There is no disclosure that the GMLC receives via the HLR location request handling device address data representing the address of a further location request handling device instead of the address of the MSC/VLR since it is clear that in Havinis, the routing information, e.g. the serving MSC/VLR 460 address, is requested and this information is provided.

Claims 2, 7 and 9 have been rejected under 35 USC 103(a) as unpatentable over Havinis and/or in view of 3GPP. The rejections are respectfully traversed for at least the same reasons presented in the arguments above.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 118744-143.

Respectfully submitted,

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